

LINCOLNSHIRE, IL – Along with members of his Education Advisory Board and teachers from the 10th Congressional District, U.S. Rep. Mark Kirk announced at Stevenson High School today legislation that will help educators better protect their students from dangerous weapons in schools. The Student and Teacher Safety Act of 2007 (H.R. 3291) will permit teachers and administrators to lawfully conduct searches for weapons, drugs or other dangerous materials if there is a reasonable threat to other students or teachers.

“During the past 10 years, more than 30 school shootings took place throughout the United States,” Congressman Kirk said. “Two years ago, 38 guns were confiscated in Illinois schools. The best way to ensure that schools are safe for our children is to take guns out of the classroom. The Student and Teacher Safety Act gives teachers and administrators the legal framework to search for weapons and drugs if there is a reasonable threat to safety. We should provide every resource to our teachers to keep schools free from gun violence.”

The U.S. Department of Education’s National Center for Education Statistics reported in its 2005 Indicators of School Crime and Safety that in 2003, 17 percent of students in grades 9–12 reported they carried a weapon. Six percent reported having carried a weapon on school grounds. The same survey reported that 29 percent of all students in grades 9–12 reported that someone offered, sold, or gave them an illegal drug on school property within the last 12 months.

In its 2003-2004 Report on the Implementation of the Gun Free Schools Act the U.S. Department of Education reported 2,165 students (37 from Illinois) were expelled from school for bringing a firearm on school property.

The legislation codifies a 1985 U.S. Supreme Court Ruling (New Jersey vs. TLO) where the Court held that searches of students by school officials do not require probable cause warrants. The Court concluded that a search is permissible if:

(A) there are reasonable grounds for suspecting the search will reveal evidence that the student violated the law or school rules; and

(B) the measures used to conduct the search are reasonably related to the search's objectives, without being excessively intrusive in light of the student's age, sex, and nature of the offense.

The Student and Teacher Safety Act has 29 cosponsors in the House and is endorsed by the National Education Association.